

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-14 are now pending in this application. Claim 9 is herein amended to correct a typographic error. Claims 13 and 14 are added. Support for new claim 13 is found in the specification at page 15, lines 20-23. Support for new claim 14 is found in the specification at page 17, line 26, through page 18, line 6. No new matter is added.

In the outstanding Office Action, Claims 1-3 and 5-9 were rejected under 35 U.S.C. §102(b) as anticipated by Shinya, JP 2004-083563. Claim 4 was rejected under 35 U.S.C. §103(a) as obvious over Shinya in view of Yasuo, JP 2002-107497. Claims 10-12 were rejected under 35 U.S.C. §103(a) as obvious over Shinya.

Claims 1-3 and 5-9 were rejected under 35 U.S.C. §102(b) as anticipated by Shinya, JP 2004-083563. Applicant respectfully traverses these rejections, as the Office has failed to state a prima facie case of anticipation.

Claim 1, from which claims 2, 3, and 5-9 depend, is directed to a fluorescent conversion medium. The conversion medium comprises fluorescent particles and a transparent medium holding the fluorescent particles dispersed therein. The fluorescent particles comprise semiconductor nanocrystals and absorb visible light to emit fluorescence of a different wavelength. The conversion medium satisfies the inequality $0.4 < C \cdot d/r^3 < 5.0$, in which r is the average diameter in nm of the fluorescent particles, d is the film thickness in μm of the fluorescent conversion medium, and C is the volume ratio in volume % of the fluorescent particles to the fluorescent conversion medium.

Shinya discloses a fluorescent medium. However, contrary to the Office's assertions, the Shinya medium does not satisfy the inequality $0.4 < C \cdot d/r^3 < 5.0$. The Office asserts that Shinya teaches a volume ratio of 50% in paragraph 32. However, paragraph 32 of Shinya teaches that the ratio of In within group III elements is not less than 50%. Applicant respectfully submits that this disclosure is not a disclosure of the ratio of the volume of fluorescent particles to the fluorescent conversion medium, as required by claim 1. Moreover, Applicant submits that Shinya does not teach or suggest any volume ratio of the volume of fluorescent particles to the fluorescent conversion medium. Not doing so, the Shinya medium cannot satisfy the inequality. Failing to teach or suggest a fluorescent conversion medium satisfying the inequality $0.4 < C \cdot d/r^3 < 5.0$, Shinya cannot anticipate claim 1, or any of the claims depending there from. Accordingly, Applicant respectfully requests the withdrawal of the rejections of claims 1-3 and 5-9 as anticipated by Shinya.

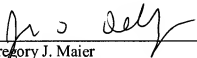
Claim 4 was rejected under 35 U.S.C. §103(a) as obvious over Shinya in view of Yasuo, JP 2002-107497. Applicant respectfully traverses this rejection, as the Office has failed to state a prima facie case of obviousness. Claim 4 depends from claim 1, and includes all of the elements of claim 1. As noted herein, Shinya does not disclose or suggest a fluorescent conversion medium satisfying the inequality $0.4 < C \cdot d/r^3 < 5.0$. Nor does Yasuo disclose a fluorescent conversion medium satisfying the inequality $0.4 < C \cdot d/r^3 < 5.0$. Accordingly, the combination of Shinya and Yasuo fails to teach or suggest the elements of the claimed fluorescent conversion medium. Moreover, there is no articulated reasoning why the claimed medium, meeting the required inequality, would be obvious. Lacking such reasons, claim 4 is not rendered obvious by the recited combination. Applicant respectfully requests withdrawal of this rejection.

Claims 10-12 were rejected under 35 U.S.C. §103(a) as obvious over Shinya. Applicant respectfully traverses this rejection, as the Office has failed to state a prima facie case of obviousness. Like claim 4 above, claims 10-12 depend from claim 1, and include all of the elements of claim 1. Claims 10-12 cannot be obvious over Shinya because Shinya does not disclose or suggest a fluorescent conversion medium satisfying the inequality $0.4 < C \cdot d/r^3 < 5.0$, and because there is no articulated reasoning why the claimed medium, meeting the required inequality, would be obvious. Applicant respectfully requests withdrawal of this rejection.

In light of the above discussion, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

John D. Dellinger
Registration No. 50,436